



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,811	08/01/2003	Thomas A. Gray	1244.42977X00	2017

20457 7590 06/28/2007
ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-3873

EXAMINER

ADDY, THJUAN KNOWLIN

ART UNIT	PAPER NUMBER
----------	--------------

2614

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

06/28/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

officeaction@antonelli.com
dprater@antonelli.com
tsampson@antonelli.com

Office Action Summary

Application No.

10/631,811

Applicant(s)

GRAY ET AL.

Examiner

Thjuan K. Addy

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,8,11,15 and 17 is/are rejected.
- 7) ☒ Claim(s) 3,5-7,10,12-14,16 and 18-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on April 04, 2007 has been entered. No claims have been amended. Claim 9 has been cancelled. No claims have been added. Claims 1-8 and 10-20 are still pending in this application, with claim 1 being independent.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 4, 8, 11, 15, and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Parsons et al (US Patent Application, Pub. No.: US 2002/0085701 A1).
3. In regards to claim 1, Parsons discloses a communication system (See Fig. 1 and office 100) comprising: at least one [ubiquitous] sensor (See Fig. 2 and presence system 112) for generating awareness data (e.g., current "presence context", such as at desk, campus room, at hotel, at home, at restaurant, etc.) relating to a user (See pg. 1, paragraph [0009]); a context engine (See Fig. 2 and context profile 206) for receiving

Art Unit: 2614

and processing said awareness data to determine the user's current context for the purpose of event (e.g., call) handling (See pg. 3, paragraph [0030] and pg. 4, paragraph [0037]); a policy engine (See Fig. 2 and presence server 202) for receiving and relating at least one pertinent evidential indicator of an incoming event from a caller to said user's current context and in response selecting a preferred event handling feature (See pg. 3-4, paragraph [0036] and pg. 4, paragraph [0037]); and a delivery agent (See Fig. 2 and call control interface 212) for executing said preferred event handling feature (See pg. 4, paragraph [0038] and pg. 4, paragraph [0040]).

4. In regards to claim 2, Parsons discloses a communication system, wherein said context engine further comprises an algorithm for processing said awareness data into availability information and applying said availability information to said policy engine as tuple space assertions (See pg. 4, paragraph [0037]).

5. In regards to claims 4 and 11, Parsons discloses a communication system, wherein said at least one evidential indicator includes at least one of caller identity; role relationship between caller and said user, group of project membership, location of said user, current activity of said user, and subject matter of said event (See pg. 1, paragraph [0009]).

6. In regards to claims 8, 15, and 17, Parsons discloses a communication system, wherein said policy engine stores a plurality of unique identifiers for identifying specific aspects of said user's identity that are related to said user's context and selecting a preferred event handling feature based on said aspects to create personalized features (See pg. 4, paragraph [0037]).

Allowable Subject Matter

7. Claims 3, 5-7, 10, 12-14, 16, and 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments with respect to claims 1-8 and 10-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

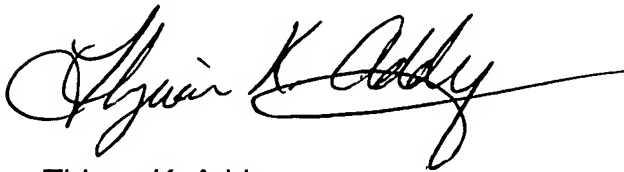
9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Newell et al (US Patent Application, Pub. No.: US 2006/0053377 A1) teach a method and system for controlling presentation of information to a user based on the user's condition. Godefroid et al (US 6,697,840) teach presence awareness in collaborative systems. Will (US 5,970,388) teaches a wireless system for indicating an incoming telephone call and controlling its transfer. Ryngler et al (US Patent Application, Pub. No.: US 2003/0182394 A1) teach a method and system for providing context awareness.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan K. Addy whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

Art Unit: 2614

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Thjuan K. Addy', with a long horizontal flourish extending to the right.

Thjuan K. Addy
Patent Examiner
AU 2614